

## UNITED STATES DISTRICT COURT

Middle

District of

RECEIVED

Alabama

*Gregory Kenneth Lee* Plaintiff  
*#184070* V.

2005 DEC 6 A 8:55  
 FEDERAL BUREAU OF INVESTIGATION  
 WILMINGTON, NC  
 THREE FIFTHS DOLLAR

APPLICATION TO PROCEED  
 WITHOUT PREPAYMENT OF  
 FEES AND AFFIDAVIT

*Warden Leon Fornis et al* CASE NUMBER: 2:05 cv 1099-T

I, GREGORY KENNETH LEE declare that I am the (check appropriate box)  
 petitioner/plaintiff/movant       other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?  Yes       No      (If "No," go to Part 2)

If "Yes," state the place of your incarceration STATION CORRECTIONAL FACILITY

Are you employed at the institution? NO Do you receive any payment from the institution? NO

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed?  Yes       No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |                              |  |
|---|------------------------------|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have **any** cash or checking or savings accounts?  Yes  No  
If "Yes," state the total amount. \_\_\_\_\_
5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value?  Yes  No  
If "Yes," describe the property and state its value.
6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. *N/A*

I declare under penalty of perjury that the above information is true and correct.

11-21-05  
Date

Gregory K. Lee

Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS  
STATON CORRECTIONAL FACILITY

AIS #: 184070

NAME: LEE, GREGORY

AS OF: 11/28/2005

MONTH	# OF DAYS	Avg Daily Balance	Monthly Deposits
NOV	2	\$0.00	\$0.00
DEC	31	\$0.00	\$0.00
JAN	31	\$0.00	\$0.00
FEB	28	\$0.00	\$0.00
MAR	31	\$0.00	\$0.00
APR	30	\$0.00	\$0.00
MAY	31	\$0.00	\$0.00
JUN	30	\$0.00	\$0.00
JUL	31	\$0.00	\$0.00
AUG	31	\$0.00	\$0.00
SEP	30	\$0.00	\$0.00
OCT	31	\$0.07	\$2.36
NOV	28	\$2.36	\$0.00

AFFIDAVIT

2005 CV 1099-T

On 10/28/05 at around 10:17 pm I approached officer Johnson to let him know that I was sick and needed to see Sgt. Butler. Officer Johnson grabbed me by my neck and choked me. After the incident of the officer choking me, he told me to go back to my bed, where I began to vomit on my sheets and blanket. I went to the door to tell again I was sick and he told me to get away from the door before I slap the 'shit' out of you" I asked for him to call the Sgt. and he said that he's not calling the Sgt. and he didn't. After I exchanged words with him he finally called the Sgt. and Sgt. Butler came to the Dorm. Sgt. butler took me to the shift office and told me that after count cleared that she would take me to the infirmary. I was then taken to the infirmary after the count cleared and was given a body chart stemming from Officer Johnson's choking.

I complained to the Asst. Warden and he said that "he didn't care as the officer did not hurt you"

Respectfully,

GREGORY LEE  
GREGORY KENNY LEE

A.I.S. 184070